

FILED APR 22 '11 AM 8:58 USBC-GRD

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINAIn Re: Mercury Data Systems, Inc.
DebtorCase No. 09-11708

BALLOT FOR ACCEPTING OR REJECTING PLAN

The Debtor, Mercury Data Systems, Inc., filed a plan of reorganization dated January 13, 2011 (the "Plan") for the Debtor in this case, and Amended on March 11, 2011. The Court has approved a disclosure statement dated January 13, 2011 as Amended on March 11, 2011 with respect to the Plan (the "Disclosure Statement"). The Disclosure Statement provides information to assist you in deciding how to vote your ballot. If you do not have a Disclosure Statement, you may obtain a copy from the Debtor/Plan Proponent's attorney at the following address:

Sarah F. Sparrow, P O Box 2888, Greensboro, NC 27402.

Court approval of the disclosure statement does not indicate approval of the Plan by the Court.

You should review the Disclosure Statement and the Plan before you vote. You may wish to seek legal advice concerning the Plan and your classification and treatment under the Plan. Your Claim/Equity Interest has been placed in Class under the Plan. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

If your ballot is not received by the Court on or before the 22 day of April, 2011, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Plan.

If the Plan is confirmed by the Bankruptcy Court it will be binding on you whether or not you vote.

ACCEPTANCE OR REJECTION OF THE PLAN

[If the voter is the holder of a secured, priority or unsecured nonpriority claim:]

The undersigned, the holder of a Class 9 Claim against the Debtor in the unpaid amount of \$15,000.00 Dollars (\$)

[or, if the voter is the holder of a bond, debenture, or other debt security:]

The undersigned, the holder of a Class Claim against the Debtor, consisting of Dollars (\$) principal amount of (Describe bond, debenture or other debt security) of the Debtor (For purposes of this Ballot, it is not necessary and you should not adjust the principal amount for any accrued or unmatrued interest.)

[or, if the voter is the holder of an equity interest:]

The undersigned, the holder of Class equity interest in the Debtor, consisting of shares or other interests of [Describe equity interest] in the Debtor.

☒ ACCEPTS THE PLAN

☐ REJECTS THE PLAN

Dated: 19 Apr 11

Print or type name: Hawthorne L. Proctor
Signature: Hawthorne L. Proctor
Title (if corporation or partnership) Proctor & Boone LLC
Address: 5746 Union Hill Road STE 104K
Clifton, VA 20124

RETURN THIS BALLOT TO:
CLERK, U. S. BANKRUPTCY COURT
P. O. Box 26100, 101 South Edgeworth Street
GREENSBORO, NC 27420-6100